

MEETING #21 - June 22

At a Regular Meeting (#2) of the Madison County Board of Supervisors on June 22, 2021 at 5:30 p.m. in the War Memorial Building Courtroom at 2 S Main Street:

PRESENT R. Clay Jackson, Chair
 Charlotte Hoffman, Vice-Chair
 Kevin McGhee, Member
 Amber Foster, Member
 Carty Yowell, Member
 Jack Hobbs, County Administrator
 Jacqueline Frye, Deputy Clerk

ABSENT: Sean Gregg, County Attorney

Call to Order, Determine Quorum, Pledge of Allegiance & Moment of Silence
Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson advised that a quorum was present.

Chairman Jackson called for any amendments to today's Agenda:

Supervisor McGhee moved to approve today's Agenda as presented, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Public Comment: Chairman Jackson opened the floor for public comment. With no public comment being brought forth, the public comment opportunity was closed.

Special Appearances:

1. County Administrator Exit Interview (*In closed session*)

Closed Session:

On motion of Supervisor Hoffman, seconded by Supervisor Foster, the Board convened in a closed session pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion on the resignation of the County Administrator. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Supervisor Hoffman moved that the Board reconvene in open session, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Supervisor Hoffman moved to certify that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(1), only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Public Comment:

Chairman Jackson opened the floor for public comment. With no one coming forth, the public comment opportunity was closed.

Consent Agenda

2. A. Approve Minutes from the June 8, 2021 Meeting
 - B1. Fireworks Authorization Request (Frazier)*
 - B2. Fireworks Authorization Request (Frye)*
 - B3. Fireworks Authorization Request (Garrett)*
 - B4. Fireworks Authorization Request (Pacheco)*
 - B5. Fireworks Authorization Request (Senterfitt Farms)*
 - B6. Fireworks Authorization Request (Sowers)*

Supervisor Yowell moved to approve the Consent Agenda Items, excluding Item B5, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Supervisor Hoffman moved to approve Item B5 of the Consent Agenda, seconded by Supervisor Foster. *Aye: Hoffman, McGhee, Foster, Yowell. Abstain: Jackson. Nay: (0).*

Constitutional Officers, County Departments, Committees & Organizations

Facilities & Maintenance: Roger Berry, Director of Facilities & Maintenance advised that renovations are moving forward at 414 N. Main Street; a punch list is being addressed; anticipated re-entry to the building is around July 1st; however, all punch list items will be complete before staff reoccupy the building.

Economic Development & Tourism: Tracey Gardner, Director of Economic Development & Tourism, advised that a report on broadband will be compiled by August 24th; citizens will be asked to complete a survey from their homes in order to assess which homes have internet access here; advised that the proposed provider will need help getting property easements; also noted that the VATI grant deadline is September 14, 2021; noted that Firefly will be invited back to a future Board meeting to provide insight to the County.

The County Administrator advised that Mr. Hewa of the Rappahannock Electric Cooperative plans to attend the July 13th Regular Meeting to provide insight.

Ms. Gardner also advised that a ribbon cutting will be held at Taste 29 located on Rt. 29 N. this Saturday.

Emergency Management Services: John Sherer, Emergency Management Services Coordinator, advised that State of Emergency declared by the Governor in March 2020 is slated to expire on June 30, 2021; a resolution is being present to rescind the initial declaration for review and adoption.

Additional highlights focused on the following COVID 19 stats for Madison (as provided by the Virginia Department of Health)

- 22 citizens were hospitalized
- 14 fatalities
- 5,799 local residents have been fully vaccinated (70% of the locality population)

- Local hotline will remain open (in the Extension Office) through June 30, 2021

In closing, he thanked the Board of Supervisors for all of the support given during the pandemic.

Supervisor McGhee moved that the Board adopt Resolution #2021-15 [To Rescind a Declaration of Local Emergency] seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

The Resolution reads as follows:

A RESOLUTION TO RESIND A DECLARATION OF A LOCAL EMERGENCY

Resolution #2021-16

WHEREAS, on March 13 2020 Madison County has become aware of COVID -19 (coronavirus) and the need to prepare for the expected impact and spread throughout the County, and

WHEREAS, Chairman Clay Jackson, acting as the Director of Emergency Management, declared a local emergency in performance of his duty as the Director of Emergency Management on that day pursuant to §44-146.21 of the Code of Virginia, and

WHEREAS, due to exigent circumstances the Madison County Board of Supervisors was unable to convene to give its consent to the declaration as required by the Code of Virginia, and

WHEREAS, the Code of Virginia requires the Madison County Board of Supervisors to confirm such a declaration at its next regular meeting or at a special meeting within 45 days of the declaration, whichever occurs first,

NOW, THEREFORE, IT IS RESOLVED that the March 13, 2020 declaration that a local emergency existed in Madison County by the Director of Emergency Management is hereby ratified, and

BE IT FURTHER RESOLVED that the circumstances that initiated the declaration of that local emergency no longer exist so the local emergency is hereby declared to have ended as of June 30, 2021.

EMS: Noah Hillstrom, Director of Emergency Medical Services, was present and advised that the 2nd shelter for emergency vehicles has been put into place; advised that the department should be fully staffed by the end of the week.

E911: Brian Gordon, Director of Emergency Communications, was present and advised that steps are being undertaken to mediate the sitework endeavor; still waiting on Motorola representatives to provide a formal date when work can progress on the NexGen system; advised that the CSB database should be active by July 1; advised that the EOC is now fully staffed.

IT: Bruce Livingston, IT, advised that data network and A/V equipment should be in place by the end of the week; advised that fiber will be installed at the circuit court and data will be installed at the Commonwealth Attorney's

Office; VPN will be placed into the new EMS building and will eventually be installed in the firehouse; discussions still underway regarding the towers at the existing rescue squad building; reported that Michele Thacker, Accounting Manager, is working with the RDA system.

The County Administrator provided a brief overview of the upgrade to install fiber at the circuit court (routed from Hoover Ridge) and then to Church Street and 410 N. Main Street.

Brian Gordon, Director of Emergency Communications, reported that ANS is also working on installing fiber at the EOC through Hoover Ridge, as a means to provide services for future growth.

Blue Ridge Committee: Bruce Bowman, Citizen Representative, provided a brief overview of the ongoing efforts of the Blue Ridge Committee; noted that he and Mr. Ballard have met with Patrick Kinney, Superintendent, who feels that the BRC is very relevant; a future organizational meeting has been scheduled at the end of July 2021 at Big Meadows; anticipates that the BRC will commence its meeting schedule in May and October.

- *Chairman Jackson: Verbalized accolades to Mr. Kinney, Superintendent, and all those who have served in this role over the past several years.*

Planning Commission: Fay Utz, Commission member, advised that the situation with local land ownership in the locality has changed significantly over the past several years; the commission is reviewing local ordinances and assessing whether amendments are needed; no applications have been received for large scale solar facility(ies); large portions of land have recently been sold; encouraged the citizens to attend the public hearings as issues pertain to the comprehensive plan.

Madison Rescue Squad: Steve Grayson, Member, advised that all is going well; strong relationship with paid EMS; new ambulance received recently and working on getting the title in place with DMV; new applicants are starting to come forth.

Report on Committee Vacancies: The Board was advised that no applications have been received for the vacancy on the CPMT.

Old Business

3. Disposition of Surplus Proceeds of Tax Sale per Code of Virginia §58.1-3967: The County Administrator advised that the County Attorney was preparing to research procedures/policy regarding the return of real estate taxes to a family member of a local property owner.

- *Chairman Jackson: Advised that the aforementioned topic relates to a former property owner that was discussed at the previous meeting.*

After discussion, it was the consensus of the Board to table further discussions until a report can be provided from the County Attorney.

Commonwealth Attorney: Clarissa Berry, Commonwealth Attorney, reported that all is going well in her office; the first jury trial will be held in the next few weeks; attended a recent ATF training in Alabama that was very informative; referred to new laws/updates that will be forthcoming.

4. Discussion Event Regulation Ordinance (Webb): The County Administrator advised that the draft event regulation ordinance is being presented for comments; it was suggested that the County may be ready to have a public hearing on the proposed changes soon; suggestions for the Board to consider include:

1. Authorization for Fireworks Permits: Currently, the county doesn't have an ordinance in place to regulate these types of events; suggested that these types of events be included in the event regulation ordinance document.
2. Requiring all events, even those that will bring in 500+ individuals, to have administrative approval instead of requiring Board approval for the purpose of ensuring that public safety personnel will be made aware of these types of events taking place within the locality

- *Supervisor Yowell: Questioned the amount of time that public safety personnel would require in order to be prepared for an event that will cater to 1,000 individuals;*

To which:

1. Brian Gordon, Director of Emergency Communications, advised that if the event will cater to 500 patrons or below, there would be no issue; however, if there will be more than 500 patrons, at least a thirty-day notice will be sufficient.
2. John Sherer, Emergency Management Services Coordinator, advised that it would be a definite asset for public safety personnel in order to plan staff schedules; also referred to the incident action plan that is utilized by local emergency services personnel.

Tracey Gardner, Director of Tourism & Economic Development, advised that VDOT also requires a permit for large scale events at least two (2) months in advance.

- *Chairman Jackson: Advised that no comments have been received from local businesses (i.e. Graves' Mountain Lodge, Inc.) involved with the previous motocross event, and stressed the fact that the main concern is only for public safety and to do what's best for the community; noted that Erik Weaver, Sheriff, has verbalized agreement with suggestions previously stated by county public safety personnel.*

After further discussion, it was the consensus of the Board to add the following items to the proposed Event Regulation Ordinance:

- a. Fireworks Authorization Permit requests
 - b. Large-scale events to be held within the County that will cater to 500+ patrons
- and:
- c. Discuss all revisions at a future meeting session

5. Consideration: Drug Court MOU with Orange County: Chairman Jackson advised that the County Attorney has reviewed the MOU and expressed agreement with the wording,

Supervisor Yowell moved that the Board approve the Memorandum of Understanding with Orange County on the Drug Court, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

New Business

6. Discussion: State of Emergency (Resolution #2021-16] [Discussed after Item 2](#)

7. Consideration: FY21 Supplemental Appropriations (Hobbs): The County Administrator provided a list of supplemental appropriations #2021-54 through #2021-62 for review and/or approval.

- *Chairman Jackson: Advised that all items noted on the list provided have been approved previously by the Board of Supervisors.*

Supervisor McGhee moved that the Board approve FY21 supplemental appropriations #2021-54 through #2021-62, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

The County Administrator provided a brief overview of additional FY21 supplemental appropriations to close out the end of the year items through June 30, 2021.

Supervisor Yowell moved that the Board approve FY21 supplemental appropriations #2021-63 through #2021-72, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

8. Report- COVID 19 Funding Status (Hobbs): The County Administrator gave a report on past and upcoming “COVID-19” funding.

- *Supervisor McGhee: Made reference to the broadband initiative and that the proposed funding for the County will be about \$1-2 million dollars.*
- *Supervisor Yowell: Made reference to the proposed drawdown schedule for the forthcoming ARPA funding.*

9. Consideration: Fund Balance Allocation (Hobbs): The County Administrator provided details on the year-end fund balance worksheet that was presented for review and/or approval.

Supervisor Yowell moved that the Board approve the fund balance allocations as presented, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Information/Correspondence

Presentation: Chairman Jackson referred to an impressive list of accomplishments presented by the County Administrator. In closing, a wall clock was presented to Jack Hobbs, County Administrator, on behalf of the Madison County Board of Supervisors, for his years of service to the County.

Public Comment: Chairman Jackson opened the floor for public comment; with no comment(s) being brought forth, the public comment opportunity was closed.

With no further comment(s) being brought forth, the public comment opportunity was closed.

Closed Session

9. Closed Session (Personnel)

On motion of Supervisor Hoffman, seconded by Supervisor Foster, the Board convened in a closed session pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion, consideration, and/or interviews of prospective candidate(s) for employment. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).**

Supervisor Hoffman moved that the Board reconvene in open session, seconded by Supervisor Foster. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).**

Supervisor Hoffman moved to certify that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(1) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor Foster. **Aye: Jackson, McGhee, Foster, Yowell. Nay: (0). Absent: Hoffman.**

As a result of closed session:

On motion of Supervisor McGhee, seconded by Supervisor Foster, the Board moved to appoint Brian Gordon as the Interim County Administrator effective July 7, 2021. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).**

Adjourn:

With no further action being required, on motion of Supervisor Hoffman, seconded by Supervisor Foster, the meeting was adjourned until 7:50 p.m. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).**

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Copies: Board of Supervisors, County Attorney & Constitutional Officers
Adopted on: July 13, 2021



Agenda
Board of Supervisors Meeting
Tuesday, June 22, 2021
at 6:00 PM
War Memorial Building Courtroom
2 S. Main Street
Madison, Virginia 22727

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

Public Comment

Special Appearances

1. County Administrator Exit Interview (in Closed session)

Consent Agenda

2. *A. Approve minutes from the June 8, 2021 Meeting*
 - B1. Fireworks Authorization Request (Frazier)*
 - B2. Fireworks Authorization Request (Frye)*
 - B3. Fireworks Authorization Request (Garrett)*
 - B4. Fireworks Authorization Request (Pacheco)*
 - B5. Fireworks Authorization Request (Senterfitt Farms)*
 - B6. Fireworks Authorization Request (Sowers)*

Constitutional Officers, County Departments, Committees & Organizations

Old Business

3. Report: Disposition of Surplus Proceeds of Tax Sale per Code of Virginia § 58.1-3967 (Gregg)
4. Discussion: Event Regulation Ordinance (Webb)
5. Consideration: Drug Court MOU with Orange County (Webb)

New Business

6. Discussion: State Emergency [[Resolution #2021-16](#)] (Sherer) **Discussed after Item #2**
7. Consideration: FY21 Supplemental Appropriations (Hobbs)
8. Report - COVID 19 Funding Status (Hobbs)
9. Consideration: Fund Balance Allocation (Hobbs)

Information/Correspondence

Public Comment

Closed Session [2.2-3711(A)(1)]

Adjourn

AMENDMENTS NOTED IN [ROYAL BLUE](#)